

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtor.¹

PROMESA

Title III

Case No. 17-BK-3283 (LTS)

(Jointly Administered)

**APPLICATION AND ORDER FOR ADMISSION PRO HAC VICE
AND FOR SUBSTITUTION
OF COUNSEL FOR ROCHE DIAGNOSTICS CORPORATION**

TO THE HONORABLE COURT:

Comes now the undersigned counsel and respectfully allege and prays as follows:

1. On August 4, 2017 Counsel David Powlen and Kevin Collins, from Barnes & Thornburg, LLP, filed a request to appear Pro Hac Vice on behalf of Roche Diagnostics Corporation (“Roche”). See Dkt. 893 and Dkt. 894. The Pro Hac Vice requests were granted by this Honorable Court on August 7, 2017. See Dkt.947.

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK5523-LTS) (Last Four Digits of Federal Tax ID: 3801). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

2. Roche has now engaged the firm Faegre Drinker Biddle & Reath LLP to represent them in the captioned case, whereupon Counsel Powlen and Collins hereby withdraw their appearance as counsel to Roche in the above-captioned action and respectfully request to be removed by the Clerk of the Court from the CM/ECF noticing system, as well as to be removed by Prime Clerk LLC, or any subsequently appointed noticing agent, from any electronic and paper noticing list or matrix pertaining the captioned case.

3. Faegre Drinker Biddle & Reath, LLC have appointed Counsel Kayla D. Britton, a member of said firm, as counsel of record in the captioned case, and hereby requests to be admitted Pro Hac Vice before this Court.

4. Counsel Kayla D. Britton (hereinafter “Applicant”) will sign all pleadings with the name “Kayla D. Britton” and hereby declares that she is an attorney admitted to practice and in good standing of the following courts:

- U.S. District Court for the Northern and Southern Districts of Indiana
- U.S. Bankruptcy Court for the Northern and Southern Districts of Indiana
- Bar of the State of Indiana, Bar No. 29177-06, admitted since 2010

5. Applicant hereby certifies that she is not suspended from practicing law before any court or jurisdiction, nor is she subject to any complaint for unethical conduct, disciplinary proceeding or criminal charges before any court of jurisdiction.

6. Applicant further certifies that, during the past three years, Applicant has not filed for Pro Hac Vice admission in the United States District Court for the District of Puerto Rico.

7. All pleadings, notices of hearing, and other filings in this matter shall be served upon Applicant at the addresses set forth below:

FAEGRE DRINKER BIDDLE & REATH LLP

Kayla Britton, Esq.
600 E. 96th Street, Suite 600
Indianapolis, Indiana 46240
Tel.: (317) 569-9600
Fax: (317) 569-4800

Kayla.Britton@faegredrinker.com

8. Applicant requests that all notices to be given include, without limitation, notices of any application, complaint, demand, hearing, motion, petition, pleading or request, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, delivery, telephone, facsimile or otherwise filed with regard to the above-referenced action.

9. Counsel Daniel Molina-Lopez shall remain as Local Counsel. Local Counsel address of record is:

Daniel Molina-Lopez, Esq.
USDC-PR 211813
P.O. Box 223
Las Piedras, PR 00771
Tel. (787) 426-3268
Email: dmolinalaw@gmail.com

10. Applicant hereby certifies that she has read and reviewed the Local Rules for the United States District Court for the District of Puerto Rico, which provide in part that attorneys appearing Pro Hac Vice must comply with the provisions set forth therein and pay the admission fee of \$300 per appearance in each new case before this Court. Accordingly, evidence of payment of the Pro Hac Vice admission fee is attached hereto.

WHEREFORE, Counsel David Powlen and Kevin Collins, from Barnes & Thornburg, LLP respectfully request this Court to accept their withdrawal as Counsel for Roche Diagnostics Corporation, while Counsel Kayla D. Britton from Faegre Drinker Biddle & Reath, LLC requests

to be admitted to practice before this Court Pro Hac Vice as new counsel for Roche Diagnostics Corporation.

Dated: February 23, 2021

Counsel to be admitted Pro Hac Vice:

/s/ *Kayla D. Britton*

FAEGRE DRINKER BIDDLE & REATH LLP

Kayla Britton, Esq. (*pro hac vice* pending)

600 E. 96th Street, Suite 600

Indianapolis, IN 46240

Tel.: (317) 569-9600

Fax: (317) 569-4800

Kayla.Britton@faegredrinker.com

Withdrawing Counsel:

/s/ *David M. Powlen*

/s/ *Kevin G. Collins*

BARNES & THORNBURG LLP

David M. Powlen

Kevin G. Collins

1000 N. West Street, Suite 1500

Wilmington, DE 19801

Telephone: (302) 300-3434

Facsimile: (302) 300-3456

Email: david.powlen@btlaw.com

Email: kevin.collins@btlaw.com

I HEREBY CERTIFY, pursuant to Local Rule 83(A)(f) that I consent to the designation as local counsel of record for all purposes.

/s/ *Daniel Molina Lopez*

Daniel Molina-Lopez

USDC-PR 211813

P.O. Box 223

Las Piedras, PR 00771

Tel. (787) 426-3268

Email: dmolinalaw@gmail.com

I HEREBY CERTIFY that on this same date a true and exact copy of this motion and its attachment was filed with the Clerk of the Court using the CM/ECF system, which will notify a copy to counsel of record.

/s/ Daniel Molina Lopez

DANIEL MOLINA LOPEZ

USDC-PR 211813

P.O. Box 223

Las Piedras, PR 00771

Tel. (787) 426-3268

Email: dmolinalaw@gmail.com

ORDER

The Court, having considered the above Motion, hereby **GRANTS** attorneys David Powlen and Kevin Collins withdrawal as Counsel for Roche Diagnostics Corporation, and also **GRANTS** Counsel Kayla D. Britton from Faegre Drinker Biddle & Reath, LLC request to be admitted Pro Hac Vice as new counsel for Roche Diagnostics Corporation.

It is further **ORDERED** that the Clerk of the Court deposits the admission fee in the account of Non-Appropriated Funds of this Court.

SO ORDERED.

Dated: February ____, 2021.

LAURA TAYLOR SWAIN
United States District Judge